

Comments on May 5, 1993
Conditional Use and Oak Tree Permits 92250-(4) Puente Hills Landfill, and
Conditional Use and Oak Tree Permits 92251-(4)

Puente Hills Materials Recovery and Rail Loading Facility

Comments Submitted June 21, 1993 by
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GENERAL COMMENTS

On May 5, 1993 John Schwarze, Administrator, Current Planning Branch, Los Angeles County Department of Regional Planning, transmitted to the Los Angeles County Sanitation Districts the Los Angeles County Regional Planning Commission's (Commission) findings, order and conditions governing the proposed expansion of the Puente Hills Landfill and the Materials Recovery and Rail Loading Facility (MRRLF). We previously conducted detailed reviews of those proposed facilities with respect to potential impacts on public health, groundwater quality, and the environment, and presented testimony on those issues at the Districts' hearings on the Districts' staff's Environmental Impact Report (EIR) governing the development of the proposed facilities. We also presented testimony to the Los Angeles County Regional Planning Commission in connection with that Commission's review of those proposed facilities. A listing of our previously submitted comments/testimony is appended to these comments. All previously submitted comments pertinent to those facilities should be incorporated into the record of the Los Angeles County Board of Supervisors' review of the appeal of the Los Angeles County Department of Regional Planning's approval of the proposed facilities and should be reviewed by the Board of Supervisors.

A review of the May 5, 1993 conditional use permits (CUP) issued by the Los Angeles County Department of Regional Planning, based on the Los Angeles County Regional Planning Commission's findings, orders and conditions shows that the Commission and Los Angeles County Department of Regional Planning have provided highly inaccurate, misleading and unreliable information on the impacts of the proposed facilities on public health and the environment in the vicinity of the Puente Hills Landfill. Further, the conditions set forth by the Commission will not protect the groundwater resources, or the public health and welfare of the residents and property users in the vicinity of the proposed facilities. The deficiencies in the proposed findings, orders and conditions are discussed in detail in these comments.

RECOMMENDATION

We recommend that the Los Angeles County Board of Supervisors overturn the Commission's approval of the proposed landfill expansion and Materials Recovery and Rail Loading Facility because of the significant public health, environmental, and other impacts of the proposed facilities.

SPECIFIC COMMENTS

Conditional Use and Oak Tree Permit Case No. 92250 - (4)

Page 1. Synopsis. paragraph 4:

It is stated that copies of the reports, findings and actions were provided to each Commissioner before the initial public hearing. During the Commission hearings it was learned that the Commission members had not been provided with, and had not reviewed, the comments provided by the public on the significant deficiencies in the draft and final EIR developed by the Districts.

Page 1. Hearing of February 17, 1993. paragraph 1:

The statement is made that representatives from various public agencies made presentations to the Planning Commission on the proposed facilities. A review of the transcript of these presentations, however, shows that in some instances, the Agencies (Los Angeles Regional Water Quality Control Board) had not yet reviewed the proposed facilities at the time the presentations were made. It is misleading for the Conditional Use Permit (CUP) to imply, as was done in this section, that there had been agency review of the proposed facilities.

Page 2. Hearing of March 30, 1993. paragraph 2:

In the testimony we presented to the Planning Commission (see appended copy), we discussed a wide variety of issues beyond the issues of "leachate containment" mentioned in this paragraph. This paragraph does not properly present the depth and breadth of the information provided to the Planning Commission at the March 30 hearing by us and others.

Page 7. Findings. numbered paragraph 18:

Finding no. 18 quoted the Public Facilities Element, County of Los Angeles General Plan as stating,

"The criteria to be applied by the Commission in considering an application include the regional and local need for the specific waste disposal facility as well as the potential impacts the use will have on the community. These impacts include but are not limited to noise, odor, visual, circulation/traffic, air and water quality, seismic safety and safety. Regional need should not outweigh the impact on the community. Potential hazards should be given greater consideration than the regional need"

A critical review of the Commission's findings will show that the Commission did not follow those criteria. Proper consideration was not given to the public health and welfare of those who own or otherwise use properties in the vicinity of the proposed landfill and MRRLF; regional "needs" were allowed to outweigh Puente Hills area community impacts and the quality of the water in the San Gabriel Basin aquifer system. The existing Puente Hills Landfill has had and continues to have significant adverse impacts on adjacent and nearby property owners and property users. Further, leachate from the existing landfill is polluting groundwaters hydraulically connected to the groundwater aquifer system in the San Gabriel Valley. It is clear that the Commission has chosen to support quick-fix solid waste management over public health and welfare, and therefore is in

violation of Los Angeles County's requirements for development of facilities of this type.

Page 7. Findings. numbered paragraph 22.

In Finding no. 22, the Planning Department and Commission again presented highly misleading information regarding the review of the proposed facilities by regulatory agencies. As clearly delineated in the transcript of the February 17 hearing, the Regional Water Quality Control Board representatives have not reviewed the proposed facilities. On page 68 (lines 17-21) of the transcript of the February 17, Mr. Frazier (Planning Commission staff member) stated in his introduction of the Regional Board staff members who spoke at the hearing,

"The two speakers [from the regional board staff] this morning asked me to emphasize that the actual plans for the landfill expansion have not been submitted to the water quality control board and, therefore, they're not in a position to actually address those specific plans;"

Page 8. Findings. numbered paragraph 24.

Finding no. 24 presented in this paragraph states that the Districts certified their own EIR. A review of the testimony presented to the Districts on the very significant deficiencies in the technical aspects of the EIR shows that the Districts' self-certification of its EIR is clearly a conflict of interest and contrary to the intent of CEQA in requiring an EIR. Even the chairman of the Planning Commission acknowledged significant impacts of the existing landfill when he stated at the April 8, 1993 Regional Planning Commission hearing (transcript page 90, lines 3-7),

"The third point I'd like to make is there's no question there's an environmental impact on neighbors short of closing it down and removing everything."

He also acknowledged significant deficiencies in the Districts' EIR when he stated at that hearing (transcript page 90, lines 16-21),

"There are problems with the EIR. I hope it's not a court that has to resolve these. That's the wrong way. I'm a lawyer and I respect the courts. That's not the place for urban planning. I would hope perhaps we could solve it here, if not the Board of Supervisors' level."

Page 8. Findings. numbered paragraph 26:

This finding accepts the "findings of fact" of the Districts with respect to the impacts and mitigation measures associated with its proposed Puente Hills Landfill expansion, and the Districts' statement of overriding consideration for the project; it ignores the large amount of technically valid testimony that was provided by the public and others including us, that the proposed mitigation measures will not protect public health, the environment, and the public's interests.

Page 8. Findings. numbered paragraph 28:

Finding no. 28 presented in this paragraph presents misleading information to the Board of

Supervisors by expressing only the Districts' views on its own EIR. Members of the public and many others not in the employ of the Districts who reviewed the EIR presented testimony and supporting documentation that showed significant deficiencies in the evaluation of, and proposed mitigation for, the impacts of the proposed facilities on surface and groundwater quality, land use compatibility, and public health and safety. Among the aspects recounted in the finding that the EIR claimed would not be adversely affected, and those that would sustain impacts, *groundwater quality* was conspicuously missing. Testimony presented on the EIR clearly showed that groundwater quality would be adversely affected by the proposed Puente Hills Landfill expansion, and that this aspect was inadequately and unreliably addressed in the EIR. The finding of the Commission should have reflected this problem rather than simply repeating misleading claims made in the Districts' EIR.

Page 8. Findings. numbered paragraph 29:

By this finding the Regional Planning Commission holds that the health, safety and economic considerations of those who generate the garbage to be handled at these facilities is considered to be more important to the Districts than the impact of the proposed facilities on those who live or otherwise use properties near them, as well as the groundwater resources of the San Gabriel Valley. While the "garbage in the streets" scenario associated with failing to provide alternative appropriate solid waste management is certainly of public health concern, the issue should not be the protection of health, safety, and especially economic concerns of one group (waste generators) at the expense of another. The inadequacies in protection of groundwater quality at the proposed Puente Hills Landfill expansion that contribute to the "economic considerations" of the garbage generators in fact threaten the public health and welfare, water resources, and economic interests of those whose waters are adversely affected by leachate and gas contamination of the area groundwaters now and in the future.

Page 9. Findings. numbered paragraphs 30 and 31:

Finding no. 30 states that the Commission determined that there is need for additional changes to the project to further reduce impacts that are delineated in the subsequent three findings. Finding 31 indicates the that Commission's approach to reducing the impacts of *"noise, odor, and visual impacts on the residential Community of Hacienda Heights"* is to require that the Districts' proposed location for waste deposition be set back 500 feet from that proposed by the Districts. A review of how noise, odor, and visual impacts from the proposed landfill expansion would impact those in Hacienda Heights and other off-site areas shows that requiring the Districts increase the set-back as stipulated i.e., to not deposit wastes as close to the property line as originally proposed, will provide insignificant relief from those adverse effects of the proposed landfill on the Hacienda Heights residents and others who use the area. The severe odors that will arise from the proposed landfill expansion will not be significantly dissipated in the additional 500 feet distance down the canyon provided in Commission's approach for so-called further reduction of adverse impacts. Similarly, noise and visual impacts specifically cited by the Commission as areas of concern, will not be significantly reduced by the slight increase in the buffer lands between where landfilling of garbage will take place and where residents of Hacienda Heights have established homes, a school, and other community facilities.

Even though extensive testimony was presented on the existing problems being caused by the current Puente Hills Landfill operations to adjacent and nearby property owners/users, such as severe odors, seagulls, fugitive wastes, truck traffic, etc., the Commission chose not to even mention, much less address, those problems in the CUP. Further, the construction of the MRRLF will cause significant problems to property owners and users outside the Hacienda Heights area. There are a number of commercial facilities, such as office buildings, restaurants, etc., outside the Hacienda Heights area that are now being significantly adversely impacted by odors, truck traffic, etc. from the existing Puente Hills Landfill. The approval of the proposed facilities will further adversely affect the owners and users of those properties. This issue was not mentioned nor addressed in the Commission's CUP; this is another significant deficiency in the Commission's findings and order. All individuals who are potentially adversely affected by the proposed facilities should be protected from adverse impacts of the facilities. By its approach the Commission is minimizing the adverse impacts on the people who generate the garbage to be deposited or handled in the proposed facilities at the expense of the health, welfare, and economic interests of those who reside or otherwise utilize property in the vicinity of the proposed facilities.

Page 9. Findings. numbered paragraph 30.

The Commission has not addressed the serious issues of groundwater quality impacts, and the significance of the groundwaters that stand to be adversely affected by landfill leakage, that were raised and documented in comments on the EIR and in hearings before the Planning Commission.

Page 9. Findings. numbered paragraph 34:

Finding 34 states that the Commission determined that there is need to continue to dispose of municipal solid waste at the Puente Hills Landfill through the year 2003. The fundamental reason for the appearance of inadequate landfill capacity at other locations is that the Districts have been disposing of garbage at the Puente Hills location for fees far less than the real costs of garbage disposal with appropriate and sufficient protection of groundwater quality, and public health and welfare. The reason the Districts are able to charge only \$16/ton tipping fees at Puente Hills (a fee far less than what it typically costs to manage municipal solid waste by landfilling at a geologically suitable site elsewhere in the US) is that by saving money through inadequate protection of groundwater quality and the health and welfare of neighboring areas, the remaining costs are passed on as burdens to adjacent and nearby property owners and users, and future generations in lost and impaired water resources. Further, the Districts are developing a massive liability which the Districts' customers (the public) will ultimately have to pay in groundwater clean-up from the pollution that is occurring today and that will occur as a result of allowing the Puente Hills Landfill to be operated for another 10 years. Rather than causing the Districts to face up to their responsibility for providing proper solid waste management at its true costs, the Commission is proposing to allow the Districts to continue to operate the Puente Hills Landfill to the detriment of property owners and users in the area as well as of the groundwater resources of the San Gabriel Basin.

Page 10. Findings. numbered item 36.

The Commission noted the finding of a study commissioned by the Hacienda Heights Improvement Association regarding the anticipated devaluation of property owing to the expansion of the Puente Hills Landfill as proposed. It also noted that the Sanitation Districts' consultants concluded that there would be *"no impact on property values."* The Commission accepted the conclusion of the applicant. The basis for its dismissal of the findings of the James Root Morton and Company study conducted for HHIA was not provided. Furthermore, the findings of the independent study I reported in my March 30, 1993 testimony to the Commission on this matter (Hirshfeld *et al.*, 1992) that shows that typically there are significant reductions in property valuation at considerable distances from a landfill, were not mentioned.

Page 10. Commission Conclusions. item A:

Conclusion A states,

"The use as modified and conditioned is consistent with the adopted general plan."

Contrary to that statement, the CUP for the proposed landfill expansion is not in accord with the general plan. The general plan requires that priority consideration be given to the protection of public health and welfare of nearby residents, and groundwater quality and resources; those considerations override regional desires for cheaper-than-real-cost garbage disposal.

Page 10. Commission Conclusions. item B:

Conclusion B states,

"As modified and with the attached restrictions and conditions, the requested use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare."

Contrary to the glib dismissal of documented problems and threats caused by the proposed landfill expansion reflected in that conclusion, the CUP will not preclude adverse impacts on the health, peace, comfort or welfare of persons residing or working in the surrounding area and will be materially detrimental to the use, or enjoyment and valuation of property of other persons located in the vicinity of the site. Further, the expansion of the Puente Hills Landfill as proposed in the CUP will constitute a menace to public health, safety and general welfare. In drawing that conclusion, the Commission has, without foundation, dismissed substantial amounts of technical information and documentation of public health and welfare, and environmental/groundwater quality problems that will be caused by the proposed Puente Hills Landfill expansion.

Page 11. Commission Conclusions. item C:

Contrary to the conclusion regarding the adequacy of the site for the proposed use, the site is not adequate to accommodate the proposed development features without adversely impacting the surrounding properties and groundwater quality and resources. The inadequacies of the site discussed in comments to the Commission have not been remedied by the CUP.

Page 11. Commission Conclusions. item D:

Contrary to the statement made, the site does not have adequate traffic access to accommodate the large number of garbage trucks that arrive at the site, without adversely impacting traffic in the area.

Page 11. Commission Action. numbered items 1a and 1b:

The statement is made that the Regional Planning Commission has independently reviewed and considered the information contained in the final environmental impact report prepared by the Districts. It is clear from the testimony presented at the Commission hearing that the Commissioners had not reviewed all of the comments that had been submitted on the significant deficiencies in the draft and final EIR. The Commission's "independent" review seems to be based on materials supplied by the Districts and did not include a truly disinterested, independent review of the Districts' EIR.

Page 11. Commission Action. numbered item 1c:

The Commission states that the "unavoidable" impacts of the proposed project have been reduced to "acceptable" levels and are outweighed by the *"specific social, economic and environmental benefits of the project"*. To the contrary, the Commission has violated the requirements of the County general plan by the placing higher priority on minimizing adverse impacts and cost of solid waste management on those who generate the wastes within the County that are deposited at the Puente Hills Landfill than on preventing adverse impacts on the property owners and users near the landfill, and on the groundwater resources in the San Gabriel Basin.

Page 3. Conditions of Approval. numbered item 10a:

This condition states,
"Liquid or hazardous waste or radioactive waste/material shall not be accepted."

As we pointed out in previous comments, that condition cannot be fulfilled by following the approach the Districts have used and have proposed to continue to use in inspecting the solid wastes that will be received at the Puente Hills Landfill expansion. As discussed in the testimony that we have submitted, the Districts' approach for monitoring for the presence of radioactive wastes will not detect a wide variety of radioisotopes that could be present in the wastes that emit radioactivity of a type that is not measured by the radioactivity detection devices used.

Further, as discussed in the previously submitted testimony, the Districts' proposed approach for keeping hazardous wastes out of the landfill is not sufficient to prevent hazardous wastes from being deposited in a landfill, as well as large amounts of chemicals that are highly hazardous to people and that cause hazardous waste to be classified as "hazardous" by current federal and state classification procedures.

Page 4. Conditions of Approval. numbered item 10f:

Listed as one of the items is methods to reduce the volume of daily cover required. There are already significant problems at the Puente Hills Landfill with severe odors that adversely affect adjacent property users and owners. Reducing the amount of daily cover should not be done if it in any way aggravates the odor problem.

If the Commission had conducted an impartial, unbiased view of the proposed Puente Hills Landfill expansion and had decided to permit the expansion and protect adjacent and nearby property owners/users from the adverse impacts of the proposed expansion, it would have established a series of conditions that the District must meet, such as:

- no offensive odors on adjacent properties
- no impacts from seagulls or other birds and animals associated with the waste operation on adjacent properties
- no adverse impacts because of truck traffic, noise, or unsightliness
- no groundwater pollution by landfill leachate or gas under the landfill that could impair the uses of the groundwater hydraulically connected to the landfill for domestic or other purposes
- If at any time the Districts violate any of these conditions, the operation of the landfill shall be terminated and the Districts shall be forced to immediately close the landfill and start the *ad infinitum* post-closure care activities, including remediation of contaminated groundwaters.

The Districts have been able to operate the Puente Landfill in a manner inferior to that needed to protect public health, welfare, and interests, and the environment near the landfill without significant recourse by the adversely affected public in the vicinity of the landfill. However, in the future the adversely impacted public will be able to take legal action against the Districts for their inadequate operation of the Puente Hills Landfill through the citizens' suit provisions of the US EPA RCRA Subtitle D regulations adopted by the State Water Resources Control Board on June 17, 1993. It was situations like those that have existed at the Puente Hills Landfill that caused the US Congress to include specific provision for citizens' suits in Subtitle D. The public is no longer helpless against sanitation districts and other landfill owner/operators for inadequate operation that is adverse to the interests of those who live, work, or own property in the area of impact of the landfill. As discussed in our previously submitted testimony, owing to the highly unsuitable character of the Puente Hills area for landfilling, especially for the second-largest landfill in the US, it would much more prudent

solid waste management policy for Los Angeles County for the Board of Supervisors to face up to the fact that the continued use of the Puente Hills Landfill by the Districts would be a serious error that will prove to be highly detrimental to Los Angeles County residents. The Board of Supervisors should require that the Districts develop alternative solid waste management facilities including out-of-county landfills at geologically suitable sites. While such alternatives appear to be more expensive than the current solid waste management disposal, in the long-term it will be highly cost-effective and provide the County with stable, environmentally sound, solid waste management capacity. The Districts will have to pay far more for solid waste disposal at the Puente Hills site than other locations that are available for solid waste disposal. The impacted public in the vicinity of the Puente Hills Landfill will now be able to pursue the termination of inadequate operations of the landfill through the Courts and Subtitle D. The Board of Supervisors should review the situation that has developed in Contra Costa County, CA where the residents are now paying \$20/ton more for solid waste disposal than other San Francisco Bay area residents, for disposal of wastes in the new Keller Canyon Landfill. They are finding that it is cheaper to rail-haul solid waste from Contra Costa County to Utah than to dispose of the wastes in the Keller Canyon Landfill. The Keller Canyon Landfill has many of the same characteristics as the Puente Hills Landfill - it is next to a large urban population, in a canyon setting, in fractured rock geology/hydrogeology hydraulically connected to an aquifer system of concern to the public, and will inevitably cause groundwater pollution by landfill leachate. The high cost of solid waste management in the Keller Canyon Landfill is related to the extraordinary measures that the landfill owners had to adopt because of the unsuitability of the Keller Canyon site.

The limited regard the Districts have demonstrated for the health and welfare of adjacent property owners/users by their failing to properly control the adverse impacts of the landfill should not, and will not, be allowed to persist. As discussed in our testimony, the Districts made a serious error in selecting the Puente Hills Landfill as a site for municipal solid waste management. The inadequacy of the buffer lands around the landfill virtually guarantees that the landfill will have an adverse impact on adjacent property owners and users. To allow the Districts to expand their solid waste management operations to lands which are much closer to owners/users of area lands is strongly contrary to good solid waste management practice and will certainly lead to significant adverse impacts on those who own and use adjacent and nearby properties. Further, to construct an MRRLF at the proposed location, on properties that are currently owned by others in the vicinity of existing and proposed commercial and other facilities whose use and operations will be adversely affected by the MRRLF, is strongly contrary to good solid waste management planning.

As discussed in our testimony, the fractured rock hydrogeology of the Puente Hills where landfilling has and is proposed to continue to take place, and the proximity of high-value groundwaters that can readily be polluted by leachate from the existing and proposed landfill make the Puente Hills Landfill a very poor site for a landfill of any type, much less the second largest landfill in the United States. The failure of the Districts to provide the necessary funds to properly operate this landfill to reflect its inappropriate location, inadequate land buffer and the groundwater vulnerability means that this landfill will have greater adverse impacts during its active life and post-closure period than those typically associated with municipal landfills.

Page 13. Conditions of Approval. numbered item 26:

This paragraph states that the Districts shall install and maintain the liner systems. Such a statement shows a lack of understanding by the Commission and its staff in the issues of landfill liners and groundwater quality protection. The effective life of liners of the type that the Districts' propose to use is very limited compared to the period of time over which the wastes in the landfill will be a threat to groundwater quality. Without question, the liner will inevitably fail to prevent leachate from migration through it. While the Commission establishes in the CUP that the Districts shall maintain the liner, this is a physical impossibility without removal of waste from the landfill, since the liner will be buried under hundreds of feet of garbage, and cannot be inspected and repaired.

Also in that paragraph it is stated that the level of containment shall equal or exceed the specifications set forth in the final EIR. Independent of what the EIR states, Chapter 15 governing land disposal of wastes in California as well as the new landfill Policy requires that the landfill containment system must be sufficient to prevent impairment of groundwater use by landfill leachate for as long as the wastes in the landfill represent a threat to groundwater quality.

As indicated in our testimony to the Districts and Planning Commission and as is documented in the literature, municipal solid wastes of the type that the Districts will accept at the proposed landfill expansion contain a wide variety of constituents which will be a threat to groundwater quality forever if the proposed landfill expansion is allowed to proceed. This means that the proposed Puente Hills Landfill expansion liner system must be able to protect groundwater quality from use-impairment forever. Since, as discussed above, the liners proposed by the Districts will not function to provide this degree of protection, it is obvious that the Districts' proposed approach for containment of the solid wastes in the proposed landfill expansion will violate the performance standards set forth in Chapter 15 and in the proposed Policy governing landfilling that has been adopted by the State Water Resources Control Board. The State Board has explicitly stated that any landfill permitted under the new Policy must provide protection of groundwater quality from use-impairment for as long as the wastes represent a threat. It is only a matter of time until the proposed Puente Hills Landfill expansion fails to provide this level of protection.

It is very clear from numbered paragraph 26 that the Planning Commission and staff do not understand these issues and therefore have made an inappropriate assessment of the proposed landfill expansion to contribute to the already occurring groundwater pollution from the existing Puente Hills Landfill.

Page 16. Conditions of Approval. numbered item 42:

This paragraph requires the replacement of mature oak trees with five-gallon oak trees. While this approach may be highly cost-effective for the Districts, it is strongly contrary to providing replacement wildlife habitat. Five-gallon oak trees provide very poor habitat for wildlife for many years. The Districts should be required to provide as close to mature oak trees as possible or construct other interim habitat equivalent to that being removed by the Districts as part of their garbage disposal operations.

Item A, numbered sections 1 and 2, state that the LEA (Local Enforcement Agency) shall specify certain monitoring programs associated with hazardous chemicals. Based on the testimony presented at the February 17, 1993 Planning Commission hearing, there are significant questions as to whether the LEA can and will provide for public health and environmental protection for the proposed landfill expansion. These questions arise out of the nature of municipal solid wastes (MSW) and MSW landfill leachate, and the inability of the LEA to prevent significant adverse impacts of the existing Puente Hills Landfill on groundwater quality and the public health, welfare, and economic interests of adjacent and nearby property owners and users. From the February 17, 1993 testimony to the Planning Commission presented by the LEA representative, it appears that this individual does not recognize the significant problems that have occurred. Without such recognition, there is little likelihood that this organization's ability to address these issues will be significantly improved so that the public health and welfare and groundwater resources will, in fact, be protected from the landfill. There is need to establish an independent, third-party review of the Districts' operations, that is responsible to the adjacent and nearby property owners/users. While this third-party review should be adequately funded by the Districts, the Districts should have no control over the activities of the third party reviewers.

CONCLUSION

The Commission's review as set forth in the May 5, 1993 CUP for the Materials Recovery and Rail Loading Facility in many respects contains the same significant deficiencies as the review for the proposed landfill expansion. The MRRLF will cause significant impacts on adjacent property owners and users. The Commission has only considered the impacts of increased truck traffic and the associated air pollution, and has largely ignored the highly significant impacts of odors, vermin, rodents, and management of hazardous chemicals in issuing the CUP. This CUP should also be rejected by the Board of Supervisors as being inadequate to protect the interests of public who own and/or use adjacent property.

If the Supervisors or others dispute any of the technical information or positions reflected in these comments or in the appended materials, we request that you require that the point(s) of contention be articulated and substantiated in writing for our review and comment in accord with standard professional peer review approaches.

REFERENCE

Hirshfeld, S., Vesilind, A., and Pas, E., "Assessing the True Cost of Landfills," *Waste Management & Research* 10:471-484 (1992).